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GOVERNMENT GAZETTE

BOLETIM OFICIAL

SUPPLEMENT

(SUPLEMENTO)

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Notification

I&L/1490/64/1764

In exercise of the powers conferred by Section (3) of the Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962, and of all other powers enabling him in that behalf and in supersession of the previous orders in this behalf, the Lieutenant Governor of Goa, Daman and Diu, is pleased to revise the rates of fares for passengers in the various routes of the Navegação da Índia Department, with effect from 15-11-1964, as follows, namely:

| Existing Rates | Revised Rates |
|----------------|---------------|
| a) 7 Paise | 5 Paise |
| b) 14 Paise | 15 Paise |
| c) 32 Paise | 30 Paise |
| d) 39 Paise | 40 Paise |
| e) 57 Paise | 60 Paise |
| f) 64 Paise | 65 Paise |
| g) 89 Paise | 90 Paise |

THE LIEUTENANT GOVERNOR
M. R. Sachdev

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/1030/64

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on

the 6th November 1964, is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Bill, 1964

(Bill No. 10 of 1964)

A Bill to provide for the salaries and allowances of the Members of the Legislative Assembly of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Fifteenth year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of Members of Legislative Assembly Act, 1964.

(2) It shall be deemed to have come into force on the 1st day of November, 1964.

2. **Definitions.**— In this Act, unless the context otherwise requires, —

(a) «Act» means the Government of Union Territories Act, 1963.

(b) «Assembly» means the Legislative Assembly of Goa, Daman and Diu;

(c) «Controlling Officer» means the Secretary to the Assembly;

(d) «day» means a period of 24 hours beginning at midnight;

(e) «committee» means a committee of the Assembly;

(f) «member» means a member of the Assembly but, save as otherwise expressly provided in this Act, does not include:—

- (i) a Chief Minister, Minister or Deputy Minister, and
- (ii) the Speaker or the Deputy Speaker of the Assembly.

(g) «period of residence on duty» means the period during which a member resides at a place where a session of the Assembly or a sitting of a committee is held or where any other business connected with his duties as such member is transacted, for the purpose of attending such session or sitting or for the purpose of attending such other business, and includes:—

- (i) in the case of a session of the Assembly, a period of such residence, not exceeding three days immediately preceding the commencement of the session and a period of such residence, not exceeding three days, immediately succeeding the date on which the Assembly is adjourned sine die or for a period exceeding seven days; and
- (ii) in the case of a sitting of a committee or any other business, the period of such residence not exceeding two days, immediately preceding the commencement of the business of the committee or other business and a period of such residence, not exceeding two days immediately succeeding the conclusion of the business of the committee or other business.

Explanation: A member who ordinarily resides at a place where a session of the Assembly or a sitting of a committee is held or where any other business connected with his duties as such member is transacted, shall not be deemed to reside at such place for the purpose of attending such session or sitting or, as the case may be, for the purpose of attending such other business.

(h) «term of office» in relation to a member means the period beginning with the date when such member taken his seat in the Assembly and ending with the date on which his seat becomes vacant.

3. Salaries and daily allowances.— (1) As from the commencement of this Act, a member shall be entitled to receive salary at the rate of two hundred and fifty rupees per month during his term of office and shall also be entitled to receive daily allowances at the rate of fifteen rupees for each day during any period of residence on duty;

Provided that the member shall not be entitled to daily allowance for any day during the period of residence on duty unless he has, except due to illness, attended such session or meeting if any, on that day.

Provided further that a member who ordinarily resides at a place where a session of the Assembly or a sitting of a committee is held or where any other business connected with his duties as such member is transacted shall be entitled to receive a conveyance allowance of two rupees and fifty paise for each day on which he is required to attend a session of the Assembly or the sitting of a committee or he transacts any other business connected with his duties as a member.

Explanation:—Daily allowance shall be admissible to a member for each day of residence on duty irrespective of the time of his arrival or departure.

4. Accommodation in Government Hostel etc.— During his period of residence on duty, a member may be given a single room accommodation in the Government Guest House at Panjim, or any other Government owned Hostel or Hotel at the rate of one rupee per day for lodging only, subject to accommodation being available.

5. Travelling allowance.— (1) In respect of every journey performed by a member for the purpose of attending a session of the Assembly or a meeting of a committee or of attending to any other business connected with his duties as a member, he shall be entitled to travelling allowance from his usual place of residence to the place where the session or the meeting is to be held or the other business is to be transacted and for the return journey from such place to his usual place of residence, the amount of such allowance being such as would be admissible in respect of journeys on tour to a class I officer of the Central Government serving in connection with the administration of the Union Territory of Goa, Daman and Diu.

(2) Notwithstanding anything contained in sub-section (1) a member who performs a journey by road between places connected by rail, either wholly or in part, may draw the road mileage in place of the travelling allowance which would have been admissible to him if he had travelled by rail;

Provided that the total amount of travelling allowance drawn by such member for the entire journey shall not exceed the amount which would have been admissible to him, had he performed the journey by rail.

6. Travelling allowance for intermediate journey.—

Where a member absents himself for less than seven days during a session of the Assembly or a sitting of a committee for visiting any place in the territory of Goa, Daman and Diu he shall be entitled to receive travelling allowance in respect of such journey to such place and for return journey, under section 4.

Provided that such travelling allowance shall not exceed the total amount of daily allowance which would have been admissible to such member under section 3 for the days of absence if he had not remained so absent.

7. Allowances during short intervals between the termination of one session and the commencement of another session, etc.—Where the interval between the adjournment of the Assembly or, as the case may be, one sitting of a committee and the reassembly of that Assembly or the next sitting of the committee at the same place does not exceed three days and the member concerned elects to remain at such place during the interval he shall be entitled to draw for each day of residence on duty at such place a daily allowance at the rate specified in section 3.

Provided that if the member leaves such place during the interval, absence from the place shall be treated as absence during a session of the Assembly or a sitting of the committee, as the case may be, and the provisions of section 6 shall apply accordingly.

8. **Special provisions.**—In the special circumstances specified in the First Schedule, the provisions of this Act shall apply subject to the provisions of that Schedule.

9. **Procedure.**—The procedural provisions of the Second Schedule shall apply in respect of all claims for salary and allowances.

FIRST SCHEDULE

(See section 8)

1. Admissibility of travelling allowance where a member is provided with free transit for the whole or any part of the journey—No travelling allowance under section 5 of this Act shall be claimed by a member in respect of any journey or part thereof performed by him in a conveyance provided at the expense of Government or a Local Fund, but he shall be entitled to draw an allowance at the rate of Rs. 3/- only per diem where the duration of such journey lasts for not less than six hours on any day:

Provided that the provisions of this paragraph shall not apply to the journey performed on any railway.

Note: The amount of Rs. 3/- is granted to the member to cover his incidental expenses during such journey or part thereof and is in lieu of the extra road mileage when he performs the journey by a conveyance supplied without charge. This allowance is not an alternative to the daily allowance of Rs. 15/- per diem which is allowed to him where admissible for each day of residence on duty.

2. Admissibility of travelling allowances where the place, from which a member performs his journey or to which he returns, is not his usual place of residence—(1) Where a member performs a journey for the purpose of attending a session of the Assembly or a meeting of a committee or for the purpose of attending to any other business connected with his duties as a member from a place other than his usual place of residence or returns to such a place, he may draw travelling allowance for the actual journey performed or the journey from or to his usual place of residence whichever is less.

(2) Where during a session of the Assembly or a sitting of a committee, a member performs a journey from the place where such session of sitting is held to any other place for the purpose of attending to any business connected with his duties as a member, he shall be entitled to receive:

- (a) travelling allowance, in respect of such journey to such other place and return journey, at the rates specified in section 5 of this Act; and
- (b) daily allowance for each day during any period of residence on duty at the other place at the rate specified in section 3 of the Act.

3. Regulation of the payment of daily and travelling allowances under the Act—(1) Notwithstanding that a member has not taken his seat in the Assembly to which he is elected or nominated, he shall be entitled to receive travelling allowances for the journey performed by him for the purpose of taking his seat in the Assembly.

(2) For absence for a period of seven days or more during a session of the Assembly or a sitting of a committee for visiting any place in the Union Territory of Goa, Daman and Diu, the period of absence of a member shall be reckoned in terms of days beginning and ending at midnight.

Explanation. If a member comes back on the seventh day whether in the forenoon or in the afternoon his absence shall be treated as being less than seven days.

(3) The terms «during a session» or «a sitting of a committee» occurring in section 6 of this Act and in subparagraph (2) does not include the period of three days immediately preceding the commencement of and three days immediately succeeding the end of the session or two days immediately preceding the commencement of the business, and two days immediately succeeding the conclusion of the business, of the committee.

(4) If a member leaves the place where the session of the Assembly or a sitting of a committee is held before the commencement of the interval between the adjournment of the session or the sitting of the committee *sine die* and the commencement of another session or sitting, such interval not exceeding a period of three days, his absence from that place

shall be treated as intermediate absence during a session of the Assembly or a sitting of a committee, as the case may be, and the provisions of section 6 of this Act shall apply accordingly.

(5) Travelling allowance for a return journey to the usual place of residence shall be admissible to a member who leaves the place of a session of the Assembly or a sitting of a committee during the continuance of such session or sitting and returns to the place of session or sitting after the conclusion of the business of the session or the sitting, as the case may be, before finally returning to his usual place of residence.

(6) All cases regarding the admissibility of travelling allowances to a member who arrives at the place where a session of the assembly or a sitting of a committee is held, without knowledge of the postponement of the session or the sitting, including cases of such members who arrive after the session or a sitting is adjourned suddenly shall be determined by the Speaker of the Assembly having regard to the circumstances of each case.

(7) Where a member is provided with free board and lodging at the expense of the Govt. or a Local Fund he shall be entitled to receive only one-half of the daily allowance admissible to him under section 3 of the Act. If only boarding or lodging is allowed free to the member, he shall be entitled to receive three-fourths of the daily allowance admissible to him under that section.

SECOND SCHEDULE

(See section 9)

Procedural provisions—(1) Every member shall, as soon as possible after he is elected or nominated, declare his usual place of residence to the Controlling Officer and any subsequent change in the usual place of residence so declared shall be notified to the Controlling Officer in Form «A» appended to this schedule.

(2) A member who claims any travelling or other allowance under this Act shall support his claim by a certificate in the following form, namely:

«Certified that no travelling allowance in respect of the journey or daily allowance for the period mentioned in this bill has been or will be claimed from any other official source».

(3) Where no part of the journey is performed by a conveyance provided at the expense of the Government or a Local Fund, the following certificate shall be furnished, namely:

«Certified that I have not performed any part of the journey by a conveyance provided at the expenses of the Government or a Local Fund».

(4) After completing each final return journey on termination of a session of the Assembly or a sitting of a committee or any other business connected with duties as a member, a member shall furnish a certificate in Form «B» appended to this schedule.

(5) Ordinarily, any non-governmental dues outstanding against a member shall not be recovered from his salaries and allowances but where such dues are on account of certain services rendered to him in the course of his duties as a member, such as, when he is on tour with a committee, and the arrangements for such services have been made by or at the instance of semi-Government institutions or private parties at the request of officers of the Assembly, and where such member, in spite of repeated requests, had failed to make payment of such dues, recovery thereof may be effected from the salary or travelling or daily allowance bills of such member.

FORM «A»

I have changed my usual place of residence from to with effect from due to (Here state the reasons).

I may henceforward be allowed travelling allowances from

(Signature)

(Constituency No.)

(Date)

FORM «B»

Departure and Return journey Certificate.

(The Certificates may kindly be filled in, signed and returned to the Secretary, Legislative Assembly, as soon as possible, after the completion of the RETURN JOURNEY).

(1) Certified that I performed the return journey under section 5 of the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964, leaving ... (Place, on the Date I arrived at Place on the (Date.)

(2) Certified that I have not performed any part of journey (other than the railway journey) by a conveyance provided at the expense of the Government or a Local Fund.

(3) Certified that I actually travelled by air from (Place, to (Place) by day/night service.

Payment of the Supplementary bill is required at (Station).

Station Member of the Legislative Assembly.

Date the Constituency No.

Statement of objects and reasons

Under section 17 of the Union Territories Act, 1963, the Members of the Legislative Assembly shall be entitled to such salaries and allowances as may be fixed by the Legislative Assembly by law and until provision in that behalf is so made, such salaries and allowances as the Administrator may, with the approval of the President, by order, determine. Hitherto, since the commencement of the Assembly, the salaries and allowances were regulated by an order the latter part of the said section.

It was considered that the existing provisions were not adequate and that a law should be enacted under the first part of this sub-section. The Bill is intended to give effect to this. The increase of salaries and allowances to the M. L. As provided for in this Bill has the administrative approval of the Central Government.

Financial Memorandum

The Bill involves expenditure from the Consolidated Fund of the Union Territory for the purpose of meeting the increased salaries and allowances.

Assembly Hall

D. B. BANDODKAR

Panjim,

Chief Minister

November 6, 1964.

ASSEMBLY HALL,

S. BALAKRISHNAN

Panjim, November 6, 1964 Secretary to the Legislative Assembly of Goa, Daman and Diu

LA/1031/64

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on the 6th November 1964, is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of Ministers Bill, 1964

(Bill No. 11 of 1964)

A Bill to provide for the Salaries and allowances of Ministers in Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Fifteenth Year of the Republic of India as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964.

(2) It shall be deemed to have come into force on the 1st day of November, 1964.

2. **Definitions.**— In this Act unless the context otherwise requires—

(a) «Act» means the Government of Union Territories, Act, 1963.

(b) «family» means a Minister's wife residing with him and legitimate children and step-children residing with and wholly dependent on him; and where the Minister has more than one wife, only one wife shall be included in his family for the purposes of this Act. If the Minister is a married woman, «family» shall include her husband residing with her;

(c) «Government» means the Government of Goa, Daman and Diu;

(d) «Minister» means a Minister appointed under sub-section (1) of section 45 of the Act and includes the Chief Minister;

(e) «travelling allowance» means the allowance granted to a Minister to cover the expenses which he incurs in travelling in the interests of public service as against travelling in personal interest or for private purpose, such as journeys for rest or recuperation of health or for attending party meeting or for election campaign.

3. **Salaries and conveyance allowance of Ministers.**— (1) There shall be paid to each Minister a monthly salary as laid down below, namely—

| | |
|-------------------------|-------------|
| 1. Chief Minister | Rs. 1,000/- |
| 2. Ministers | Rs. 850/- |

(2) Each Minister shall also be entitled to a conveyance allowance of one hundred rupees per month.

4. **Residence of Ministers.**— Each Minister shall be entitled, without any payment, to the use and maintenance of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and so long as such residence is not provided, to a compensatory allowance of one hundred and fifty rupees per month.

Explanation.— For the purpose of this section «residence» includes the staff quarters and other buildings appurtenant thereto and the garden thereof and «maintenance» in relation to a residence includes provision of electricity and water to the extent of seventy five rupees per month and also payment of local rates and taxes. The scale of furnishing shall be such as may be specified from time to time by Government.

5. **Motor cars for the use of Ministers.**— Each Minister shall further be entitled to the free use of a motor car and the services of a chauffeur. The cost of maintenance of the car shall be borne by the Minister.

Explanation.— «maintenance» shall include the cost of petrol and oil, servicing, repairs below twenty

five rupees, and other incidental charges, but shall not include expenditure on insurance and fees for registration and taxes.

6. **Use of Motor Cars owned by Ministers.** — (1) A Minister may opt to use his own motor car in lieu of the motor-car to which he is entitled under section 5.

(2) There may be paid to him by way of repayable advance such sum of money, and subject to such conditions, as may be determined by rules made in this behalf, for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office.

(3) A Minister, who uses his own motor car whether or not purchased with the aid of advance granted to him by the Government shall be paid a conveyance allowance of two hundred and fifty rupees per month. In such a case, he shall not be entitled to the conveyance allowance as provided in section 3 nor shall he be entitled to the free use of a motor car and to other amenities as provided in section 5.

7. Travelling and daily allowance to Ministers:

(1) Subject to the provisions of the Schedule, a Minister shall be entitled to:—

(a) travelling allowance for himself and the members of his family and for the transport of his and his family's effects:—

(i) in respect of journeys to Panjim from his usual place of residence outside Panjim for assuming office, and

(ii) in respect of journeys from Panjim to his usual place of residence outside Panjim on relinquishing office, and

(b) travelling and daily allowance in respect of tours undertaken by him in the discharge of his official duties, whether by land, sea or air.

(2) Any travelling allowance under this section may be paid in cash or free official transport provided in lieu thereof.

8. **Medical treatment, etc. to Ministers.** — A Minister and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment in accordance with the relevant rules for the time being applicable to officers of class I Grade I of the Central Government serving in connection with the administration of the Union territory of Goa, Daman and Diu.

9. **Ministers not to draw salary or allowances as members of the Legislative Assembly.** — A Minister shall not be entitled to receive any salary or allowances under the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

10. **Notification respecting appointment of Ministers, etc. to be conclusive evidence thereof.** — The date on which any person became or ceased to be a Minister shall be published in the Goa, Daman and Diu Government Gazette and any such notification shall be conclusive evidence of the fact that he became or ceased to be a Minister on that date for all the purposes of this act.

SCHEDULE

(See section 7)

1. **Travelling on duty:** — When travelling on duty by railway or by road or by steamer a Minister shall be entitled to draw travelling allowance and daily allowance at the maximum rates applicable to class I Grade I officers serving in connection with the administration of the Union Territory.

Provided that a Minister shall be entitled to draw only half of such travelling allowance if he travels on duty by road in a motorcar provided to him under section 5.

Provided further that where the cost of petrol in respect of any travel by road on duty is met by Government, the Minister shall be entitled only to the daily allowance, if any, and not any travelling allowance.

2. **Travelling allowance in journey for assuming and demitting of office:** In respect of the journey to headquarters from his usual place of residence for assuming office or between headquarters and his usual place of residence on demitting office, a Minister is entitled to travelling allowance on the scale for the time being admissible to Class I Grade I Officers serving in connection with the Administration of the Union Territory on transfer subject to the modification that for journeys by rail, a Minister and the members of his family may travel by air-conditioned class of accommodation.

3. **Travel by air:** (1) A Minister may, in the public interest perform journeys on tour by air in public air transport services.

(2) On the cancellation of a journey due to official reasons, a Minister shall be entitled to be reimbursed by Government any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(3) A Minister who does not utilise the free transport provided by the air transport services between the air-booking Centre and the air-port may also recover in respect of journey to and from the air port actual travelling expenses or road mileage as for journey on duty by road.

(4) **Advances**—A minister shall be entitled to:—

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family effects:—

(i) in respect of the journey to headquarters from his usual place of residence outside head-quarters for assuming office; and

(ii) in respect of the journey from headquarters to his usual place of residence outside the headquarters on relinquishing office.

(b) an advance of travelling and daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by sea, land or air.

Statement of objects and reasons

Under sub-section (6) of section 45 of the Government of Union Territories Act, 1963, the Ministers of the Legislative Assembly shall be entitled to such salaries and allowances as may be fixed by the Legislative Assembly by law and until it is so fixed such salaries and allowances as the Administrator may, with the approval of the President, by order, determine. Since the commencement of the Assembly, the salaries and allowances were regulated by an order of the Administrator. It was considered that the existing provisions were not adequate and that a law should be enacted to replace the existing order. The Bill is intended to give effect to this. The increase of salaries and allowances to the Ministers provided for in this Bill has the administrative approval of the Central Government.

Financial Memorandum

The Bill involves expenditure from the Consolidated Fund of the Union Territory for the pur-

pose of meeting the increased salaries and allowances.

Assembly Hall

Panjim,

November 6, 1964.

D. B. BANDODKAR

Chief Minister

ASSEMBLY HALL,

Panjim, November 6, 1964

S. BALAKRISHNAN

Secretary to the Legislative
Assembly of Goa, Daman
and Diu

LA/1032/64

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on the 6th November 1964, is hereby published for general information in pursuance of the provisions of rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker Bill, 1964

(Bill No. 12 of 1964)

A Bill to provide for the Salaries and Allowances of the Speaker and Deputy Speaker of the Legislative Assembly of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Fifteenth year of the Republic of India as follows:

1. **Short title, extent and commencement.** — (1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker Act, 1964.

(2) It shall be deemed to have come into force on the 1st November, 1964.

2. **Definitions.** — In this Act, unless the context otherwise requires —

(a) «Assembly» means the Legislative Assembly of Goa, Daman and Diu.

(b) «Member» means a Member of the Assembly, not being a Minister.

(c) «Speaker» means the Speaker of the Assembly.

(d) «Deputy Speaker» means the Deputy Speaker of the Assembly.

3. **Salary and allowances of the Speaker.** — The Speaker shall be paid such salary, conveyance allowance and travelling and daily allowances and shall be entitled to such amenities regarding residence and motor car, as are provided for a Minister under the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964.

4. **Speaker not to practice any profession.** — The Speaker shall not practice any profession or engage himself in any trade or receive any money for employment other than for his duties as Speaker under this Act.

5. **Salary and allowances of Deputy Speaker.** — The Deputy Speaker shall be paid a salary of five hundred rupees per month and shall be entitled to such travelling and daily allowances and such amenities regarding residence as are provided for a Minister under the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964.

Provided that the cost of maintenance of the residence to be met by the Government shall include provision of electricity and water charges only to the extent of fifty rupees per month.

Provided further that the compensatory allowance so long as a furnished residence is not provided to the Deputy Speaker shall be only one hundred rupees.

6. **Conveyance.** — (1) There shall be paid to a Deputy Speaker by way of repayable advance such sum of money, and subject to such conditions, as may be determined by Rules made in this behalf for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office.

(2) A Deputy Speaker who uses his own motor car whether or not purchased with the aid of advance granted to him by the Government shall be paid a conveyance allowance of one hundred rupees per month.

7. **Medical treatment, etc. to Speaker and Deputy Speaker** — The Speaker and the Deputy Speaker and the members of their families shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to Medical treatment in accordance with the relevant Rules applicable to Class I officers of the Central Government serving in connection with the Administration of the Union Territory.

Explanation. — In this section the expression «family» shall have the meaning given to it under the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

8. **Speaker and Deputy Speaker not to draw any salary as a member.** — The Speaker and the Deputy Speaker shall not be entitled to receive any salary or allowances under the Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

9. **Notification respecting appointment of Speaker, etc. to be conclusive evidence thereof.** — The date on which any person became or ceased to be a Speaker or Deputy Speaker shall be published in the Goa, Daman and Diu Government Gazette and any such notification shall be conclusive evidence of the fact that he became or as the case may be ceased to be the Speaker or Deputy Speaker, on that date for all the purposes of this Act.

Statement of objects and reasons

Under sub-section (5) of section 7 of the Government of Union Territories Act, 1963, the Speaker and the Deputy Speaker of the Legislative Assembly shall be entitled to such salaries and allowances as may be respectively fixed by the Legislative Assembly by law and until provision in that behalf is so made, such salaries and allowances as the Administrator may, with the approval of the President, by order, determine. Hitherto, since the commencement of the Assembly, the salaries and allowances were regulated by an order under the latter part of the said sub-section.

It was considered that the existing provisions were not adequate and that a law should be enacted under the first part of this sub-section. The Bill is intended to give effect to this. The increase of sala-

ries and allowances to the Speaker and the Deputy Speaker provided for in this Bill has the Administrative approval of the Central Government.

Financial Memorandum

The Bill involves expenditure from the Consolidated Fund of the Union Territory for the purpose of meeting the increased salaries and allowances.

Assembly Hall
Panjim,
November 6, 1964.

D. B. BANDODKAR
Chief Minister

ASSEMBLY HALL,
Panjim, November 6, 1964

S. BALAKRISHNAN
Secretary to the Legislative
Assembly of Goa, Daman
and Diu

Finance Department

ORDER

FS/FIII/64/20131/64

The following Notifications and Orders of the Department of Revenue & Company Law, Ministry of Finance, Government of India, are hereby, republished for the information of all concerned:

1. F.8(6)-ST/62-II (1) dated 26-10-64.
2. F.8(6)-ST/62-II (2) dated 26-10-64.
3. F.8(6)-ST/62-II (3) dated 26-10-64.
4. Order No. S.R.O.643 dated 22-2-57.

T. B. Nagarajan, Finance Secretary.
Panjim, 5th November, 1964.

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(Department of Revenue and Company Law)

New Delhi, the October 26, 1964
Kartika 4, 1886 (Saka)

Order

No. F.8(6)-ST/62-II(1)

In exercise of the powers conferred by sub-section (1) of section 13 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following rules further to amend the Central Sales Tax (Registration and Turnover) Rules, 1957 in their application to the Union Territory of Goa, Daman and Diu, namely:

1. (1) These rules may be called the Central Sales Tax (Registration and Turnover) Amendment Rules, 1964.

(2) These rules shall come into force on the 1st day of November, 1964.

2. In sub-rule (3) of rule 4 and in sub-rule (2) of rule 8 of the Central Sales Tax (Registration and Turnover) Rules, 1957, for the words «local revenue stamps», the words «court-fee stamps» shall be substituted.

Miss ANNA R. GEORGE
Deputy Secretary to the Government of India.

New Delhi, the October 26, 1964
Kartika 4, 1886 (Saka)

Order

No. F.8(6)-ST/62-II(2)

In exercise of the powers conferred by sub-section (1) of section 7 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby rescinds its Order issued with the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. G.S.R. 312 dated the 12th February, 1963.

2. This Order shall take effect from the 1st day of November, 1964.

Miss ANNA R. GEORGE
Deputy Secretary to the Government of India.

New Delhi, the October 26, 1964
Kartika 4, 1886 (Saka)

Notification

F. 8(6)-ST/62-II(3)

G. S. R. — In exercise of the powers conferred by sub-sections (3), (4) and (5) of section 13 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby makes the following rules, namely: —

1. Short title application and commencement: —

(1) These rules may be called the Central Sales Tax (Goa, Daman and Diu) Rules, 1964.

(2) They shall apply to the Union Territory of Goa, Daman and Diu.

(3) They shall come into force on the 1st day of November, 1964.

2. Definition: —

In these rules, unless the context otherwise requires —

(a) «Act» means the Central Sales Tax Act, 1956 (74 of 1956);

(b) «Central Rules» means the Central Sales Tax (Registration and Turnover) Rules, 1957;

(c) «Commissioner of Sales Tax» means the officer appointed by that designation under the Goa, Daman and Diu Sales Tax Act, 1964;

(d) «Form» except Form 1, Form 2, Form 3 and Form 4 which are appended to these rules, means a form appended to the Central Rules;

(e) «Taxation Officer» means the officer appointed under sub-section (1) of section 3 of the Goa, Daman and Diu Sales Tax Act, 1964 to assist the Commissioner of Sales Tax.

3. Returns: —

A dealer shall submit returns in Form 1.

4. Authority from which Declaration Forms may be obtained, the use, custody and maintenance of records of such forms etc.: —

(1) A registered dealer, who wishes to purchase goods from another such dealer on payment of tax at the rate applicable under the Act to sales of goods by one registered dealer to another, for the purpose specified in the purchasing dealers' certificate of re-

gistration, shall obtain from the Taxation Officer the blank Declaration that is to say, Form C referred to in rule 12 of the Central Rules, for furnishing it to the selling dealer. Before furnishing the Declaration to the selling dealer the purchasing dealer, or any responsible person authorised by him in his behalf, shall fill in all required particulars in that Form, and shall also affix his signature in the space provided in the Form for this purpose. Thereafter, the counterfoil of the Form C shall be retained by the purchasing dealer and the other two portions marked «original» and «duplicate» shall be made over by him to the selling dealer:

Provided that no single Declaration shall cover more than one transaction of sale, except in cases where the total amount covered by one declaration is equal to or less than Rs. 5000/- or such other amount as the Commissioner of Sales Tax may, by a general order, notify in the Official Gazette:

Provided further that counterfoils of the declaration forms should be maintained by the dealer for a period of five years or such further period as may be prescribed by the Commissioner of Sales Tax.

(2) Blank Declaration Form C referred to in sub-rule (1) shall be obtained by a registered dealer to the extent required by him from the Taxation Officer on payment of an amount at the rate of Rs. 2/- per 25 Forms; and such amount shall be paid in the form of court-fee stamps.

(3) A registered dealer who claims to have made a sale to another registered dealer shall, in respect of such claim, attach to his return in Form 1 the portion marked «original» of the Declaration received by him from the purchasing dealer. The assessing authority may, in its discretion, also direct the selling dealer to produce for inspection the portion of the Declaration marked «duplicate»:

Provided that when goods are delivered in instalments within the same financial year against one purchase order, and a declaration in Form C, covering the entire order, is furnished along with the return for the period relating to the first instalment, separate declarations need not be furnished along with the return for the periods relating to the subsequent instalments delivered within the same financial year, if reference to the previous returns and declaration is given in the statement furnished with the subsequent returns.

(4) No purchasing dealer shall give, nor shall a selling dealer accept, any Declaration except in a Form obtained by the purchasing dealer, on application, from the Taxation Officer and not declared obsolete and invalid by the Commissioner of Sales Tax under the provisions of sub-rule (11).

(5) Every Declaration Form obtained from the Taxation Officer by a registered dealer shall be kept by him in safe custody and he shall be personally responsible for the loss, destruction or theft of any such Form or the loss of Government revenue, if any, resulting directly or indirectly from such loss, destruction or theft.

(6) Every registered dealer to whom any Declaration Form is issued by the Taxation Officer shall maintain, in a register in Form 2 a true complete account of every such Form received from the said authority. If any such Form is lost, destroyed or stolen, the dealer shall report the fact to the said authority immediately, shall make appropriate en-

tries in the remarks column of the register in Form 2, and take such other steps to issue public notice of the loss, destruction or theft as the said authority may direct.

(7) Any unused Declaration Forms remaining in stock with a registered dealer on the cancellation of his registration certificate shall be surrendered to the Taxation Officer.

(8) No registered dealer to whom a Declaration Form is issued by the Taxation Officer shall, either directly or through any other person, transfer, the same to another person except for the lawful purpose of sub-rule (1).

(9) A Declaration Form in respect of which a report has been received by the Taxation Officer under sub-rule (6) shall not be valid for the purpose of sub-rule (1).

(10) The Commissioner of Sales Tax shall from time to time publish in the Official Gazette the particulars of the Declaration Form in respect of which a report is received under sub-rule (6).

(11) The Commissioner of Sales Tax may, by notification, declare that Declaration Forms of a particular series, design or colour shall be deemed as obsolete and invalid with effect from such date as may be specified in the notification.

(12) When a notification declaring Forms of a particular series, design or colour obsolete and invalid is published under sub-rule (11), all registered dealers shall, on or before the date with effect from which the Forms are so declared obsolete and invalid, surrender to the Taxation Officer all unused Forms of that series, design or colour which may be in their possession and obtain in exchange such new Forms as may be substituted for the Forms declared obsolete and invalid:

Provided that new Forms shall not be issued to a dealer until he has rendered account of the old Forms lying with him and returned the balance, if any, to the said authority.

(13) (a) Where a blank or duly completed Declaration Form is lost, whether such loss occurs while it is in the custody of the purchasing dealer or in transit before it is received by the selling dealer, the purchasing dealer shall furnish in respect of every such Form so lost an indemnity bond to the authority from whom the said Form was obtained, for such sum as the said authority may, having regard to the circumstances of the case, fix.

(b) Where a duly completed Form received by the selling dealer is lost, whether such loss occurs while it is in his custody or while it is in transit, until it reaches the authority to whom the selling dealer is required to furnish his return in Form 1, the selling dealer shall furnish in respect of every such Form so lost an indemnity bond to the said authority, for such sum as the said authority may, having regard to the circumstances of the case, fix and shall also obtain from the purchasing dealer a duplicate for every such Declaration Form so lost.

(c) The purchasing dealer who issues any duplicate Form to the selling dealer, shall give the following declaration in red ink, duly signed by him across the page on each of the three portions on the duplicate of the Declaration Form:

«I hereby declare that this is the duplicate of the Declaration (Form C) No. signed on and issued to who is a registered dealer of (State) and whose registration certificate number is».

5. Use, custody and maintenance, etc. of records of certificate in Form D: —

(1) An authorised officer of the Government (other than the Government registered as a dealer under the Act) who purchases goods on behalf of the Government from a dealer shall furnish a certificate in Form D referred to in sub-rule (1) of rule 12 of the Central Rules:

Provided that no single certificate shall cover more than one transaction of sale except in cases where the total amount covered by one certificate does not exceed Rs. 5,000/-.

(2) (a) Before furnishing such certificate, the authorised officer of the Government shall fill in all the required particulars in the certificate, affix his signature in the space provided in the certificate for this purpose, retain the counterfoil of the certificate and make over the other two portions in the certificate marked «original» and «duplicate» to the selling dealer.

(b) The counterfoil of the certificate in Form D shall be maintained by the authorised officer of the Government for a period of five years or such further period as may be specified by the Commissioner of Sales Tax.

(3) (a) A registered dealer who claims to have made a sale to the Government (other than the Government registered as a dealer under the Act), shall in respect of such claim attach to his return in Form 1 the portion marked «original» in the certificate received by him from the authorised officer of the Government:

Provided that when goods are delivered in instalments within the same financial year against one purchase order, and a certificate in Form D covering the entire order, is furnished along with the return for the period relating to the first instalment, separate certificates need not be furnished along with the return for the periods relating to the subsequent instalments delivered within the same financial year, if reference to the previous return and certificate is given in the statement furnished with the subsequent returns.

(b) The assessing authority may in his discretion require the selling dealer to produce for inspection the portion marked «duplicate» in the certificate in form D.

Explanation. — In this rule, «authorised officer of the Government» means an officer authorised under clause (b) of sub-section (4) of section 8 of the Act.

6. Use, custody, maintenance etc., of records of certificates in Forms E-1 and E-2: —

(1) A registered dealer who claims exemption from tax in respect of any subsequent sale referred to in sub-section (2) of section 6 of the Act shall obtain from the registered dealer from whom he purchased the goods, a certificate in Form E-1 or Form E-2, referred to in sub-rule (2) of rule 12 of the Central Rules, for use in the manner specified in sub-rule (2):

Provided that no single certificate shall cover more than one transaction of sale except in cases where the total amount covered by one certificate does not exceed Rs. 5000/-.

(2) Form E-1 shall be used in respect of the sale for which the exemption is claimed where such sale

follows immediately the first sale and Form E-2 shall be used in respect of all other subsequent sales.

(3) For the purpose of sub-rule (1) a registered dealer shall obtain from the Taxation Officer Form E-1 or Form E-2, as the case may be, to the extent required by him and shall maintain in a register in Form 3 a true and complete account of every such certificate received from the said Officer.

(4) (a) Before furnishing the certificate referred to in sub-rule (1) to the registered purchasing dealer, the registered selling dealer or any person authorised by him in this behalf shall fill in all the required particulars in the certificate, affix his signature in the space provided in the certificate for this purpose, retain the counterfoil of the certificate and make over the other two portions in the certificate marked «original» and «duplicate» to the registered purchasing dealer.

(b) The counterfoil of such certificate shall be maintained by the registered selling dealer for a period of five years or such further period as may be specified by the Commissioner of Sales Tax.

(5) (a) A registered dealer who claims that his subsequent sale to another registered dealer is not taxable under sub-section (2) of section 6 of the Act shall, in respect of such claim, attach to his return in Form-1 the portion marked «original» in the certificate in Form E-1 or E-2, as the case may be, and received by him from the registered dealer from whom he made the purchase, along with the Declaration Form C received by him from the registered dealer to whom he has made the subsequent sale.

(b) The assessing authority may, in his discretion, require the registered selling dealer to produce for inspection the portion marked «duplicate» in the certificate in Form E-1 or E-2.

(6) No registered dealer shall give nor shall a registered dealer accept, any certificate in Form E-1 or Form E-2 except in a form obtained on application from the Taxation Officer and not declared obsolete and invalid by the Commissioner of Sales Tax.

(7) The provisions of sub-rules 5 to 13 of rule 4 in relation to Declaration Form C referred to therein shall apply, with such changes as circumstances require, also to certificates in Form E-1 or E-2.

7. Application of Goa, Daman and Diu Sales Tax Act, 1964 and the rules made thereunder: —

Subject to these rules and the Central Rules, the provisions of the Goa, Daman and Diu Sales Tax Act 1964 and the rules made thereunder shall apply *mutatis mutandis* to the publication of lists of registered dealers, the maintenance, production and inspection of accounts, the entry and search of premises, the furnishing of information relating to the business of a dealer and any other matter specified in sub-section (4) of section 13 of the Act.

8. Maintenance of register for inter-State sales: —

Every registered dealer shall maintain a register in Form 4 in respect of inter-State sales effected by him and shall exhibit therein full particulars of such sales:

Provided that if the Commissioner of Sales Tax is satisfied that the maintenance of any particulars required to be maintained under the said Form is unnecessary in relation to any class of registered

dealers, he may, for reasons to be recorded in writing, exempt such class of registered dealers, from maintaining those particulars.

9. Penalty:—

A breach of these rules including any provision of the Goa, Daman and Diu Sales Tax Act, 1964 and the rules made thereunder, which have been made applicable by rule 7, shall be punishable with fine which may extend to five hundred rupees and when the offence is a continuing offence, with a daily fine which may extend to fifty rupees for every day during which the offence continues.

10. Central Sales Tax (Union Territories) Rules, 1957 not to apply to the Union Territory of Goa, Daman and Diu:—

The Central Sales Tax (Union Territories) Rules, 1957 shall cease to apply to the Union Territory of Goa, Daman and Diu except as respects things done or omitted to be done before the commencement of these rules.

FORM 1

Form of Return Under Rule 3 of the Central Sales Tax (Goa, Daman and Diu) Rules, 1964.

Return for the period from to
Registration Mark and No.
Name of the dealer
Status
(Whether individual, Hindu undivided family, association, club, firm, company, guardian or trustee).
Style of the business

1. Gross amount received or receivable by the dealer during the period in respect of sales of goods Rs. P.

DEDUCT

Rs. P.

(i) Sales of goods outside the State (as defined in Sec. 4 of the Act)

(ii) Sales of goods in course of exports outside India (as defined in Sec. 5 of the Act)

2. Balance — Turnover on inter-State sales and sales within the State

DEDUCT — Turnover on sales within the State

3. Balance — Turnover on inter-State sales

DEDUCT — (i) Cost of freight, delivery or installation when such cost is separately charged
(ii) Sale price of goods returned by the purchaser within a period of three months from the date of delivery

4. Balance — Total turnover on inter-State Sales
DEDUCT — Subsequent sales not taxable under section 6(2) of the Act

5. Balance — Total taxable turnover of inter-State sales of above

6. Goodswise break-up of above

A. Declared goods —

(i) sold to registered dealers on prescribed declaration (vide Declaration attached)
(ii) sold otherwise

B. Other goods —

(i) sold to registered dealers on prescribed declaration (vide Declaration attached)
(ii) sold otherwise
Total

7. (i) Taxable at % Rs. on which tax amounts to Rs.
(ii) Taxable at % Rs. to Rs.
(iii) Taxable at % Rs. to Rs.
(iv) Taxable at % Rs. to Rs.
(v) Taxable at % Rs. to Rs.
(vi) Taxable at % Rs. to Rs.

8. Total tax payable on Rs. amounts to Rs.

9. Tax paid, if any, by means of Treasury chalan/M.O.N. dated Rs. p.

10. Balance due/excess paid, if any Rs. p.

Note 1—I enclose with this return the original copy of each of the declaration received by me in respect of sales made to registered dealers, together with a signed list of such declarations.

Note 2—I also enclose a statement giving particulars of sales covered by declaration forms and certificates already furnished with previous returns in this financial year.

I declare that the statements made and particulars furnished in and with this return are true and complete.

Place Signature
Date Status

ANNEXURE

Statement referred to in Note 2.

1. Invoice Number.
2. Name and registration number of the purchaser.
3. Amount.
4. Number of relevant declaration forms and certificates.
5. Month in which furnished.

ACKNOWLEDGEMENT

Received from, a dealer possessing Registration Certificate no. a return of sales tax payable by him for the period from to with enclosures mentioned therein.

Place Receiving Officer,
Date

FORM 2

Register of Declaration Forms maintained under Rule 4(6) of the Central Sales Tax (Goa, Daman and Diu) Rules, 1964

| RECEIPTS | | | | ISSUES | | | | | | | | | | |
|-----------------|------------------------------|----------|---------|---------------|----------|---------|---|--|---|--------------------|--|--|------------------------------------|---------|
| Date of receipt | Authority from whom received | Book No. | Sl. No. | Date of issue | Book No. | Sl. No. | Name & address of seller to whom issued | No. & date of order in respect of which issued | Description of goods in respect of which issued | Value of the goods | Seller's cash memo/chalan No. in reference to which issued | No. & date of railway receipt or other carriers chalan for the goods | Surrendered to sales tax authority | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |

FORM 3

Register of Certificates in form E-1/E-2 maintained under Rule 6(3) of the Central Sales Tax (Goa, Daman and Diu) Rules, 1964

| RECEIPTS | | | | ISSUES | | | | | | | | | | | |
|-----------------|------------------------------|----------|---------|---------------|----------|---------|--|--|--|---|--------------------|---|--|------------------------------------|---------|
| Date of receipt | Authority from whom received | Book No. | Sl. No. | Date of issue | Book No. | Sl. No. | Name & address of purchasing dealer to whom issued | No. & date of order in respect of which issued | Number and date of Declaration Form C with name of State | Description of goods in respect of which issued | Value of the goods | Cash memo/chalan No. in reference to which issued | No. & date of railway receipt or other carriers chalan for the goods | Surrendered to sales tax authority | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

FORM 4

Register of Inter-State Sales

Maintained under rule 8 of the Central Sales Tax (Goa, Daman and Diu Rules, 1964

| Sl. No. | Dealer's invoice No. and date | Name, address and registration No. of the purchasing dealer with name of State | Name of the State of which goods have been despatched | R. R. No. or other relevant particulars of export | S. No. of the declaration form with name of State furnished by the purchasing dealer | Amount of sales to Regd. dealers | | Amount of sales to Government under section 8(1) (a) (against D Form) taxable at the rate of two percent | Amount of sales to register dealers of un-registered dealers or goods which are taxable at the rate below two percent | |
|---------|-------------------------------|--|---|---|--|--|---|--|---|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | Sales under section 8(1) (b) against C Form (taxable at the rate of two percent) | Subsequent sales not taxable under section 6(2) | 8 | 9 | 10 |
| | | | | | | Amount of sales tax collected | | | | Remarks |
| | | | | | | With sales under section 8(1) (b) (with Form C) | With sales under section 8(1) (a) (with Form D) | With sales not falling under section 8(1) (without Form C or D) | | |
| 11 | 12 | 13 | 14 | 15 | | 16 | 17 | 18 | 19 | |

Note: — Form C and D mentioned above are those referred to in rule 12 of the Central Rules.

Miss ANNA R. GEORGE

Deputy Secretary to the Government of India.

Order

New Delhi, the 22nd February, 1957

S. R. O. 643 — In exercise of the powers conferred by sub-section (1) of section 7 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby specifies the persons mentioned in column 3 of the Schedule hereto as the authorities to whom the dealers described in the corresponding entry in column 2 of the said Schedule shall make application for registration under the said section:

SCHEDULE

| S. No. | Description of dealer | Description of authority |
|--------|--|---|
| (1) | (2) | (3) |
| 1. | Dealer having a single place of business in a State. | The authority competent to register him under the general sales tax law of the State if he were liable to be so registered; |

| (1) | (2) | (3) |
|-----|---|--|
| 2. | Dealer having more than one place of business in a State. | The authority competent to register him in respect of the principal place of business (by whatever name called) under the general sales tax law of the State if he were liable to be so registered; |
| 3. | Dealer having no fixed place of business in a State. | The Chief authority appointed under the general sales tax law of the State to administer such law, whether called a Commissioner, Collector or by any other name, or such other officer appointed under that law who may be specified in this behalf by the chief authority aforesaid. |

[No. 9(3)-P(ST)/56.]

H. M. PATEL, Principal Secr.